

E-filed 5/9/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Case No. 05-00285 RMW (HRL)

Plaintiff,

ORDER RE: IN CAMERA REVIEW OF
PERSONNEL FILES

v.

JOSE ALFREDO SOUZA,

Defendant .

_____/

In March, 2006, this court granted defendant's request for the issuance of an indigent subpoena duces tecum for the personnel files of two Watsonville Police Officers. Based on certain representations of defendant's counsel, the court agreed to conduct an in camera review of the files to determine whether they contained information that might be relevant to Souza's defense. The files were submitted to the court on April 12, 2006.

Having conducted a thorough review of the documents, the court has determined that there is no information relevant or discoverable to Mr. Souza's defense. Accordingly, the court declines to order the disclosure of personnel information to defendant and will forthwith return the records to the Watsonville Police Department.

IT IS SO ORDERED.

Dated: 5/9/06

/s/ Howard R. Lloyd
HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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* Counsel are responsible for providing copies of this order to co-counsel.

/s/ RNR
Chambers of Magistrate Judge Lloyd